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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/613,615	07/11/2000	Cheryl L. Neofytides	10722-32691	1081

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EXAMINER

AKERS, GEOFFREY R

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 03/27/2002

#9

Please find below and/or attached an Office communication concerning this application or proceeding.

Handwritten signature

# Office Action Summary

Application No.

09/6/3615

Applicant(s)

N. S. S. S. S.

Examiner

Ahs 9

Group Art Unit

2164

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- ☒ Responsive to communication(s) filed on 1/25/02
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- ☒ Claim(s) 30-90 is/are pending in the application.
- Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 30-90 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
  - ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been received.
  - ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
  - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

\*Certified copies not received: \_\_\_\_\_

## Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other \_\_\_\_\_

Office Action Summary

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## DETAILED ACTION

### *Response to Amendment*

1. This action is in response to applicant's amendment A(Paper # 8) filed 1/25/02.
2. Applicant cancelled originally filed claims 1-29. New claims 30-90 were added. None were amended.
3. New claims 30-90 are pending.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

5. Claims 30-39, 46-55, 79-90 are rejected under 35 USC 102(e) as being anticipated by Lamm(US Pat. No: 6,078,907). Lamm discloses a computer-implemented method for providing a computer network money request service, which includes maintaining an e-mail address database(EPO server 16)(Fig 1)(col 5 line 10 et. seq)(col 6 line 53 et seq)(col 7 line 14 et seq)(col 9 line 62 et seq)(col 11 line 17 et seq)(col 15 line 30 et seq)(col 15 line 63 et seq)(col 16 lines 19-48). Lamm also teaches receiving an e-mail address of an individual payor from a payee(col 8 line 56 et seq)(col 9 line 58 et seq)(col 11 line 17 et seq) as well as sending an e-mail to the payor(Fig 5)(col 11 line 58 et seq)(col 12 line 8 et seq)(col 14 line 40 et seq) as well as receiving

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authorization and completing payment(col 15 line 10 et seq)(col 15 line 30 et seq).Lamm further teaches wherein the payment amount is withdrawn from an identified source(Fig 5/126/122/124).

Additionally, Lamm discloses first and second intermediary banks and transfer methods(col 16 line 33 et seq) and default money receipt selection method(col 4 line 23 et seq) as well as notifying the payee of payment(col 16 line 19 et seq) and initiating money transfer and crediting a stored value account(col 16 line 48 et seq) as well as receiving future payment datesto transfer money(col 9 line 40 et seq)(col 15 line 10 et seq)(col 15 line 45 et seq) and online history transaction statements(col 16 line 5 et seq). Lamm further teaches an e-mail link to a web page to authorize payment(col 15 line 30 et seq)(col 8 line 64 et seq)(col 11 line 30) as well as including individual message/subject line in e-mail(col 11 line 30 et seq)(col 12 line 55 et seq)(col 13 line 15 et seq). Lamm teaches a funds source identifier supporting payment(col 4 line 25) and include a hyperlink to a web site maintained by the server(Fig 4/28).

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 40-42 are rejected under 35 USC 103(a) as being unpatentable over Lamm(US Pat. No: 6,078,907) in view of Wolff(US Pat. No: 6,247,047).

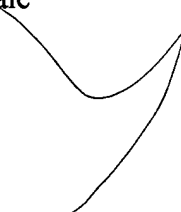
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Lamm discloses a computer-implemented method for providing a computer network money request service, including first and secondary intermediary banks and payment transfer methods(col 16 line 33 et seq) as discussed. To the extent that Lamm does not disclose payment authorization by a second individual (via ATM or private payment network)(col 16 line 44 et seq), Wolff discloses a computer implemented method for providing a computer network including an e-mail database(col 6 line 53 et seq)(col 7 line 7 et seq)(col 11 line 40 et seq) and receiving an e-mail address from a first individual and searching the e-mail database(col 11 line 25) and notifying the second individual by e-mail to receive authorization to receive payment(Figs 1-4)(col 11 line 4- et seq)(col 12 line 10 et seq). E-mail notification provides an improved means to facilitate computer network transactions by permitting individuals to control receipt of payment(col 4 line 34)(col 11 line 40)(col 12 line 10) among various payment methods(lamm/col 16 line 33). It would have been obvious to one skilled in the art at the time of the invention to provide a means for a second individual to authorize payments and thereby control transfer of money to various accounts as taught by Wolff on the method of Lamm to facilitate commerce on computer networks among individuals and payment methods.

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8. Claims 43-45,56-61 are rejected under 35 USC 103(a) as being unpatentable over Lamm(US Pat. No: 6,078,907) in view of Dorf(US Pat. No: 6,189,787).

Lamm discloses a computer-implemented method for providing a network money request service including payment through an intermediary bank. Lamm does not disclose a point of sale



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transaction with a debit card. Dorf discloses a method for providing a computer network money request service including a debit card(Fig 1) and point of sale terminal for debiting a stored value account to pay a merchant through an intermediary bank(Fig 1)(Fig 2)(col 1 line 15)(col 3 line 15)(col 11 line 5). Debit and multi-use cards facilitate commerce in point of sale transactions by providing a means to transfer value to a merchant in exchange for goods and services(col 1 line 8 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a debit card as taught by Dorf on the method of Lamm to facilitate point of sale transactions.

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9. Claims 69-78 are rejected under 35 USC 103(a) as being unpatentable over Lamm (US Pat. No: 6,078,907) in view of Payne(US Pat. No: 5,909,492).

Lamm provides a computer implemented method for providing a computer network money request service including searching an e-mail database for addresses of parties to a person-to-person payment service as discussed. Lamm does not disclose registration of individuals whose e-mail addresses do not exist in the database. Payne discloses a computer implemented method for providing a computer network money request service including identification of individuals by network addresses(Fig 2A-2I)(col 5 line 26 et seq) and sending a registration message to unregistered individuals to register and authorize payment(col 5 line 57)(col 6 line 9) and web page link(col 6 line 15 et seq) to register and complete payment. Providing for new account registration facilitates money request service and payment transactions by registering new

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individuals during payment processing(col 6 line 15 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide for new account registration as taught by Payne on the method of Lamm to permit payors and payees to open new accounts and complete funds transfer.

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10. Claims 62-64 are rejected as being unpatentable over Lamm(US Pat. No: 6,078,907) in view of Kitchen(US Pat. No: 6,289,322).

Lamm discloses a computer implemented method for providing a computer network money money request service including payment of money on a future date as discussed(col 15 line 10 et seq)(col 15 line 45 et seq). Lamm does not disclose receipt of payment frequency and duration data. Kitchen discloses a computer implementable method for providing a network money request service including receipt of frequency and duration of payment information to repeat payments(Figs 9C)(Fig 10A)(col 14 line 33 et seq). Frequency and duration of payment information provides a convenient means for individuals to schedule future payments of money(col 14 line 45 et seq). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide future payment date information as taught by Kitchen on the method of Lamm to facilitate future payments.

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11. Claims 65-68 are rejected under 35 USC 103(a) as being unpatentable over Lamm(US Pat. No: 6,078,907) in view of Robertson(US Pat. No: 6,269,369).

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Lamm discloses a computer implemented method of providing a computer network money request service including searching an e-mail database for addresses of parties to a person-to-person payment service, as discussed. Lamm does not disclose an address book. Robertson discloses the use of an address book as a means to facilitate personal contacts over a computer network(col 8 line 64 et seq)(col 9 line 10 et seq). A virtual address book provides an improved identification means to facilitate person-to-person transactions over a network(col 2 line 46). It would have been obvious to one skilled in the art at the time of the invention to provide an online address book, as taught by Robertson, on the method of Lamm to facilitate identification of users with whom an individual wants to interact.

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### *Response to Arguments*

12. Applicant's arguments with respect to new claims 30-90 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after



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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


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14. Any questions concerning this communication should be addressed to the examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the examiner are unsuccessful, the examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 2100 or this Art Unit is (703)-308-6296 or 6306. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-305-3900.

GRA

March 20,2002

  
VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100